

SENATE BILL No. 218

By Committee on Ways and Means

2-22

1 AN ACT concerning motor vehicles; relating to vehicle identification
2 number inspection fees; amending K.S.A. 2010 Supp. 8-116a and
3 repealing the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2010 Supp. 8-116a is hereby amended to read as
7 follows: 8-116a. (a) Except as provided in K.S.A. 8-170, and amendments
8 thereto, when an application is made for a vehicle which has been
9 assembled, reconstructed, reconstituted or restored from one or more
10 vehicles, or the proper identification number of a vehicle is in doubt, the
11 procedure in this section shall be followed. The owner of the vehicle shall
12 request the Kansas highway patrol to check the vehicle and the highway
13 patrol shall within a reasonable period of time perform such vehicle
14 check. At the time of such check the owner shall supply the highway
15 patrol with information concerning the history of the various parts of the
16 vehicle. Such information shall be supplied by affidavit of the owner, if
17 so requested by the highway patrol. If the highway patrol is satisfied that
18 the vehicle contains no stolen parts, it shall assign an existing or new
19 identification number to the vehicle and direct the places and manner in
20 which the identification number is to be located and affixed or implanted.
21 A charge of ~~\$10~~\$15 per hour or part thereof, with a minimum charge of
22 ~~\$10~~\$15, and on and after July 1, 2012, a charge of \$20 per hour or part
23 thereof, with a minimum charge of \$20, shall be made to the owner of a
24 vehicle requesting check under this subsection, and such charge shall be
25 paid prior to the check under this section. When a check has been made
26 under subsection (b), not more than 60 days prior to a check of the same
27 vehicle identification number, requested by the owner of the vehicle to
28 obtain a regular certificate of title in lieu of a nonhighway certificate of
29 title or obtain a rebuilt salvage title in lieu of a salvage title, no charge
30 shall be made for such second check.

31 (b) Any person making application for any original Kansas title for a
32 used vehicle which, at the time of making application, is titled in another
33 jurisdiction, as a condition precedent to obtaining any Kansas title, shall
34 have such vehicle checked by the Kansas highway patrol for verification
35 that the vehicle identification number shown on the foreign title is
36 genuine and agrees with the identification number on the vehicle. Checks

1 under this section may include inspection for possible violation of K.S.A.
2 21-3757, and amendments thereto, or other evidence of possible fraud.
3 The verification shall be made upon forms prescribed by the division of
4 vehicles which shall contain such information as the secretary of revenue
5 shall require by rules and regulations. A charge of ~~\$10~~\$15 per hour or part
6 thereof, with a minimum charge of ~~\$10~~\$15, *and on and after July 1,*
7 *2012, a charge of \$20 per hour or part thereof, with a minimum charge of*
8 *\$20*, shall be made for checks under this subsection. When a vehicle is
9 registered in another state, but is financed by a Kansas financial
10 institution and is repossessed in another state and such vehicle will not be
11 returned to Kansas, the check required by this subsection (b) shall not be
12 required to obtain a valid Kansas title or registration.

13 (c) As used in this act, "identification number" or "vehicle
14 identification number" means an identifying number, serial number,
15 engine number, transmission number or other distinguishing number or
16 mark, placed on a vehicle, engine, transmission or other essential part by
17 its manufacturer or by authority of the division of vehicles or the Kansas
18 highway patrol or in accordance with the laws of another state or country.

19 (d) The checks made under subsection (b) may be made by:

20 (1) A designee of the superintendent of the Kansas highway patrol;
21 or

22 (2) an employee of a new vehicle dealer, as defined in subsection (b)
23 of K.S.A. 8-2401, and amendments thereto, for the purposes provided for
24 in subsection (f). For checks made by a designee *or new vehicle dealer*,
25 ~~\$10~~10% of each charge shall be remitted to the Kansas highway patrol and
26 the balance of such charges shall be retained by such designee *or new*
27 *vehicle dealer. If the designee is a city or county law enforcement*
28 *agency, then the balance shall be paid to the law enforcement agency that*
29 *conducted the inspection. When a check is made under either subsection*
30 *(a) or (b) by personnel of the Kansas highway patrol* ~~or when a check is~~
31 ~~made under subsection (b) by an employee of a new vehicle dealer~~, the
32 entire amount of the charge therefor shall be paid to the highway patrol.

33 (e) There is hereby created the vehicle identification number fee
34 fund. The Kansas highway patrol shall remit all moneys received by the
35 Kansas highway patrol from fees collected under subsection (d) to the
36 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
37 amendments thereto. Upon receipt of each such remittance, the state
38 treasurer shall deposit the entire amount in the state treasury to the credit
39 of the vehicle identification number fee fund. All expenditures from the
40 vehicle identification number fee fund shall be made in accordance with
41 appropriations acts upon warrants of the director of accounts and reports
42 issued pursuant to vouchers approved by the superintendent of the Kansas
43 highway patrol or by a person or persons designated by the

1 superintendent.

2 (f) An employee of a new vehicle dealer, who has received initial
3 training and certification from the highway patrol, and has met continuing
4 certification requirements, in accordance with rules and regulations
5 adopted by the superintendent of the highway patrol, may provide the
6 checks under subsection (b), in accordance with rules and regulations
7 adopted by the superintendent of the highway patrol, on motor vehicles
8 repurchased or reacquired by a manufacturer, distributor or financing
9 subsidiary of such manufacturer and which are purchased by the new
10 vehicle dealer. At any time, after a hearing in accordance with the
11 provisions of the Kansas administrative procedure act, the superintendent
12 of the highway patrol may revoke, suspend, decline to renew or decline to
13 issue certification for failure to comply with the provisions of this
14 subsection, including any rules and regulations.

15 Sec. 2. K.S.A. 2010 Supp. 8-116a is hereby repealed.

16 Sec. 3. This act shall take effect and be in force from and after its
17 publication in the statute book.

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